TO THE HON. H. A. W. SKEEN, JUDGE OF THE CIRCUIT COURT FOR LEE COUNTY, VIRGINIA.

''

Humply complaining, your orators and oratrices, A. J. Litton, J.P. Racnic, S. E. Ricnic, W. W. Racnic, R. J. Racnic, J. F. Racnin, C. C. Racning Nancy, Hall, Nee Racnic, wife of E. Hall, Ludema Kinder nee Racnic, wife of A J. Kinder, Lucinda Hall, nee Racnic wife of Marion Hall, would respectfully represent and show unto your honor, that they, together with H. Racnic and David S. Racnic infants under the age of twenty one years, and Rhoda J. Racnic, widow of J. B. Racnic, deceased, are the owners of a certain tract or boundry of land lying and being in said County of Lee on the south side of Wallen's Ridge, and on Elk Knob, not very far from Stickleyville, Virginia, consisting originally of two tracts of land but now all in one boundry, and containing 270 acres more or less. One of the tracts included in the said boundry was purchased originally by your orator, A. J. Litton from Calloway Hodge and wife, and conveyed to him by said Hodge and wife by deed dated August 20th, 1892 and of record in the clerk's office of said county in deed book 29 page 39, and which tract contained 200 more or less. And of this tract the said A. J. Litton afterwards conveyed to the said J. B. Racnic, deceased a moiety or one/half undivided interest therein, to which deed reference is here made for a more particular description of this portion of said bounsry of land. The other tract, included in said boundary, was conveyed to the said A. J. Litton and the said J. B Racnic now deceased, by W. A. Morris and wife, by deed dated November 30th, 1900 and of record in the said clerk's office in deed book 37 page 30 to which reference is here made for a more particular description of said boundary, and which

parcel contains 70 acres more or less. The entire boundary of made said parcels, and which adjoins each other, contains as aforesaid 270 acres, more or less. An undivided one half of said boundary is owned by your orator A. J. Litton, the other undivided onehalf thereof is owned by his co-plaintiffs and H. Racnic and David S. Racnic and Rhoda J. Racnic, widow of said J. B. Racnic, deceased, as widow and heirs at law of the said J. B. Racnic, deceased. Your complainants further state that the said real estate is, as they believe, susceptable of partitionamong the parties entitled thereto, at least as between your orator A J. Litton and the said heirs and widow of the said J. B. Racnic, deceased, and the moiety to which the said Racninc heirs and widow are entitled is perhaps susceptable of partitioned among them, but should this moiety not be susceptable of partition in kind then your orators, the heirs of the said J. B. Racnin, deceased, desire that the same be sold and the proceeds divided among the adults and the infants defendants according to their respective rights, the shares of the infant defendants to be held as directed by the statute in such case made and provided. Should the said moiety belonging to the said heirs and widow not be divisible in kind, complainants believe and here state that the interest of those who are antitled to said real estate or the proceeds thereof, will be promoted by a sale of the moiety. as a whole.

Your orators further state, that the said Rhoda J. Racnic, widow of the said J. B. Racnic, deceased is entitled to dower in the said moiety of said tract or boundary of land un less dower can be assigned to her in his entire real estate out of other real estate, which he owned at the time of his death, and this they allege can be done. Far as much, therefore, as your complainants are remediless in the premises save by the aid of ~~the~~ a court of equity, they pray that the said H. S. Racnic and David Racnic infant heirs of the said J. B. Racnic

deceased, and the said Rhoda J. Racnic, widow of the said decedent be made parties defendant to this bill, and required to answer the same, the said adults in ~~their~~ her own proper person, and the said infants by a Guardian Ad Litem; that a proper Guardian Ad Litem be appointed in this cause for said infants who shall answer for them; said answers need not be under oath, that being waived; that proper process issue; that the said real estate be divided between the parties entitled thereto as to the said two moieties, that the moiety assigned to the heirs of J. B. Racnic, deceased be sold, if found advisable and the proceeds divided in case it be indivisable in kind. That all proper orders and decrees may be made and entered and that all such, other further and general relief as may be just and right be granted. And your complainats will ever pray &c.

Orr & Noel, S.S.

Costs:

Clerk	$ 10.33
Atty.	15.00
Shff.	1.50
G.A.L.	5.00
Comrs.	26.00
Tax	1.50
	$59.33

A. J. Litton et al.

vs Bill in Chy.

H. Rasnic et al.

1907. 2nd April Rules. Bill Filed. G.A.L. appd for Infant deft's & their Ans filed & Contd.

" 1st May Rules. Spa. Exec'd. on Rhoda J. Rasnic & D.N.

" 2nd May Rules. D.N. Confd and cause set for hearing by Plff's.

Everett Waddey Co., Stationers and Printers, Richmond, Va. } Form No. 35.

In the Circuit Court for the County of Lee,
to-wit:

THE ANSWER OF W. Rosnie, David Rosnie —

infants under the age of twenty-one years, by M. G. Ely,
guardian *ad litem*, assigned to defend them in this suit, to a bill of complaint exhibited against them and others in the Circuit Court for the County of Lee, by A. J. Litton — and others.

The respondent , reserving to themselves the benefit of all just exceptions to the said bill, for answer thereto, answering by said guardian *ad litem*, say that they are infants of tender years, and by reason of such disability are incapable of understanding, or of taking care of their rights and interests, They therefore commend the same to the protection of the court, and prays that no decree may be pronounced which will tend to their prejudice.

And having answered, the respondent pray to be hence dismissed with their reasonable costs, in this behalf expended; and they will ever pray, &c.

M. G. Ely, Guardian *ad litem*.

p. d.

County
OF
Lee. } ss.

This day, M. G. Ely —, whose name is signed to the foregoing answer, personally appeared before me, H. C. Joslyn a Justice and made oath that the statements made therein, so far as they depend upon his own knowledge, are true, and so far as they depend upon knowledge derived from others he believes them to be true.

Given under my hand, this 17th day of April — 1907.

H. C. Joslyn J. P.

Form No. 35.

H. Rosnick et als—

adv.

ANSWER
OF
INFANT DEFENDANT.

A. J. Litton et als,

Filed April 17, 1907.
H. C. T. Ewing,
Clerk.

G. A. Fee - $5.00

A. J. Litton, et al, Plaintiffs.

vs. In Chancery

H. Rasnic, et al, Defendants.

This cause came on to be ~~again~~ further and finally heard upon the papers formerly read in the cause, and the report and plat of W. E. Thompson, G. V. Sage and V. S. Banner, commissioners, filed in the cause February 24th, 1908, and was argued by counsel. And the said report and plat, being unexcepted to, it is adjudged, ordered and decreed that the said report and plat be and they are hereby approved and confirmed; and that the plaintiff A. J. Litton take and hold in fee simple the moiety of the tract of land in the bill mentioned laid off and assigned to him by said commissioners according to the meets and bounds set forth in said plat and report, containing 1583/4 acres more or less, and designated on said plat as lot No. 2; and that Rhoda J. Rasnic widow of J. B. Rasnic, deceased, and J. P. Rasnis, S. E. Rasnic, W. W. Rasnic, R. J. Rasnic, J. F. Ras nic, C. C. Rasnic, Nancy Hall, nee Rasnic, wife of E. Hall, Ludema Kinder, nee Rasnic, wife of A. J. Kinder, Lucinda Hall, nee Rasnic, wife of Marian Hall, H. Rasnic, and David S. Rasnic, children and heirs at law of the said J. B. Rasnic, deceased, take nad hold, according to law, the moiety of said tract or parcel of land in the bill mentioned according to the meets and bounds set forth in said bill, containing 110 acres more or less, and that the clerk of this court do record in the proper deed book in his office the decree of the court appointing said commissioners the said report and plat, and this decree; and that the plaintiff A. J. Litton, pay one-half of the costs of this suit, and the said heirs of J B. Rasnic, deceased, pay the other one-half of said costs, for ~~the~~ which costs execution may issue against the said parties in favor of the officers of this court. And nothing further remaining to be done in the cause the same is ordered to be stricken from the docket.

Virginia, Lee County, to-wit:

In the Clerk's office of Lee County, on this the 13th day of May, 1908, the foregoing decrees, commissioners' report and plat were presented, and ~~xxxxxxxxxxxxxxxxxxxxxx~~ admitted to record.

Teste: H. C. T. Ewing, Clerk

A. J. Litton et al
vs Decree No 2.
A. Rasnic et al

Entered in Co. B
#8, page 365

Recorded in Deed
Book 47, page 168
Examined May 1908
Indexed.

Enter this decree,
H. W. Sturm
May 4th 1908.

Virginia,

At a Circuit begun and held for Lee County, at the Court-house thereof, on Monday, the 16th day of September, 1907.

A. J. Litton, et al, Plaintiffs.

Vs. In Chancery

H. Rasnic, et al, Defendants.

This cause came on to be heard upon the bill of the plaintiffs and the process duly executed on the adult defendants, the answer of the infant defendants by their Guardian ad Litem, M. G. Ely, and replication thereto, the cause regularly matured at rules and set for hearing by the plaintiffs and was argued by counsel.

On consideration thereof it is adjudged, ordered and decreed that W. E. Thompson, V. S. Banner and G. V. Sage be and are hereby appointed commissioners whose duty it is made to go upon the tract of land in the bill mentioned containing 270 acres, more or less, and belonging to the plaintiff A. J. Litton and the widow and heirs of J. B. Rasnic, deceased, and partition the said tract of land between said owners thereof, and in said partition the said commissioners will lay off and assign to the said Litton a moiety of said tract of land and to the widow and heirs of J. B. Rasnic, deceased, the other moiety of said tract or parcel of land, having due regard to quantity, quality, water, ways &c., and report their action to the next term of the Court. And the cause is continued.

A copy,

Teste: *N. C. T. Ewing*, Clerk.

A. J. Litton, et al,
vs { Decree
H. Rosnie et al

Copy for return
executed by Delivery
a true copy of
the within to
Wm G Thompson
V. S. Baner
G. V. Sage
this oct 7. 1907
J. T. Hughes D S
for P. M. Ball
S L C

A. J. Litton, et al Plaintiffs.

vs. In Chancery

H. Rasnic, et al, Defendants.

This cause came on to be heard upon the bill of the plaintiffs and the process duly executed on the adult defendants, the answer of the infant defendants by their Guardian Ad Litem, M. G. Ely, and replication thereto, the cause regularly matured at rules and set for hearing by the plaintiffs, and was argued by counsel.

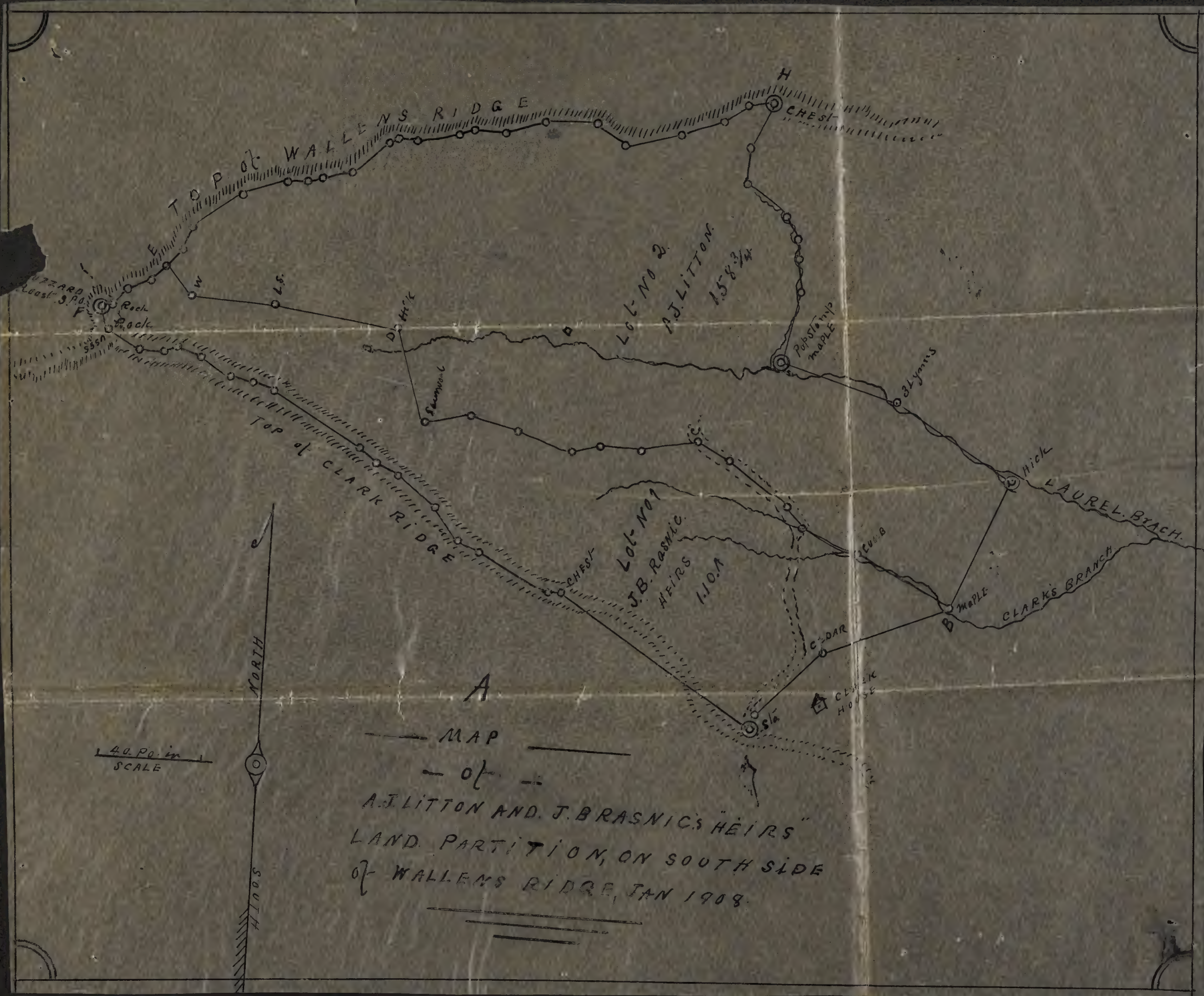
On consideration thereof it is adjudged, ordered and decreed that W. E. Thompson, and V.S. Banner & G. W. Sage be and are hereby appointed commissioners whose duty it is, made to go upon the tract of land in the bill mentioned containing 270 acres more or less, and belonging to the plaintiff A. J. Litton and the widow and heirs of J. B. Rasnic, deceased, and partition the said tract of land between said owners thereof, and in said partition the said commissioners ~~are to~~ will lay off and assign to the said Litton a moiety of said tract of land, and to the widow and heirs of J. B. Rasnic, deceased the other moiety of said tract or parcel of land, having due regard to quanity, quality, water, ways &c. and report their action to the next term of the court. And the cause is continued.

A. J. Litton et al
vs } Decree No 1.
A. Rasnie et al

Entered in C.O.B.
#8, page 303 &c -

Recorded in Deed
Book 47, page 165
Examined May 14, 1908
Indexed.

Enter this decree.
H. C. W. Stone
Sept 16 1907.



TOP of WALLENS RIDGE
H
CHEST
E
W
L.S.
D
Hick
Lot No 2
A.J. LITTON
158 3/4
Popstump
MAPLE
3 Lynns
Hick
LAUREL BRACH
CLARKS BRANCH
B
MAPLE
CEDAR
CLARK HOUSE
Sta
CHEST
Lot No 1
J.B. RASNIC
HEIRS
1.10 A
Top of CLARK RIDGE
Rock
Rock
F
NORTH
SOUTH
40 Po. in
SCALE
A
MAP
of
A.J. LITTON AND J. BRASNIC'S "HEIRS"
LAND PARTITION, ON SOUTH SIDE
of WALLENS RIDGE, JAN 1908.

Comm. Report - A. J. Litton V.S. Rasinic -

To Hon H. A. W. Skeen Judge of the Circuit Court of Lee County.

At a circuit Court held for Lee county at the Court House there of on the 16th day of September 1907 In the above Styled Cause it was ordered and Decreed that W.E. Thompson V.S. Bannier and G.V. Sage be appointed Commissioners to go up on the Lands mentioned in the Said Bill belonging to the Plaintiff A.J. Litton and the Widow and heirs of J.B. Rasinic deceased and partition the Said Tract of Land, Lay off and assign to the Said Litton a Moiety of Said Tract of Land. and to the Widow and heirs of J.B. Rasinic deceased the other Moiety of Said Tract or parcel of Land. having due regard to Quantity quality Water Ways &c.

Your under Signed Commissioners beg Leave to Report that on the - Day of January. 1908 we did go upon the Lands Mentioned in the above Cause and make a Survey of the Boundary. and found it to contain 268 3/4 acres. We then partitioned the Said Boundary into two Parties. and by agreement of the Said Plaintiff and Said Defendants We assign to the Widow and heirs of J.B. Rasinic The South West part of Said Boundary Shown on Plat filed here with Marked A Said plat being a part of This Report. Also Said Lot Shown as No 1 and Bounded as follows. Beginning at a Stake on or near the top of the Clark Ridge West of the old Clark House thence N 10 E 7 poles to a Small Black Oak N 41 E 36 1/2 poles to a cedar north of the old House. N 66 E 54 poles to a Small Maple and Saurwood on the Clark Branch. Shown at B. Thence

N 63¾ W. 41 poles to a cucumber and Hickory on Said Branch. N 70 W. 24½ poles to a Stake in the Hall Road Dogwood and Gum pointers thence with Said Road. N 39 W 10½ poles to a Sourwood N 54¼ W. 29½ poles to a Stake opposite a Large Rock Continueing with Said Road. N 64 W 14 poles to a Chestnut-Oak on top of a Ridge Shown at- C thence up a Ridge S 76 W. 23 poles to a Crooked Chestnut Oak. N 89 W. 16 poles to Two Sourwoods S 75 W. 11¾ poles to a Chestnut on top of Said Ridge N 75¼ W. 22 poles to a Gum. N 74 W 20¾ poles to a Bunch of Chestnuts. S 76¾ W. 19 poles to a Sourwood and Maple a Little on the north of Said top thence Leaving Said Ridge N 18¾ W. 39½ poles to a Hickory in the Hollow Below the Spring Shown at D thence N 82¾ W 49 poles to a Locust-Stump N 87 W 33 poles to a Blk Walnut. N 40¾ W 21 poles to a Sugartree and Locust- on top of Wallens Ridge Shown at- E thence with the top of Said Ridge and M T Littons Line S 42½ W 8 poles Short 6 links to Two Small Sugartrees. S 66 W 10 poles to a Sharp top Rock S 44¼ W. 8 poles to a planted Stone original Birch corner. to Tritts and M.T. Litton Land S 84 W. 4 poles to a Large Spanish Oak at- the Buzzard Roost- Shown at- F thence S 19 E 11 poles to Rock planted on a Night-Point-Marked U.S.Q.S. thence down the top of Clark Ridge S 62½ E. 14½ poles to a Bunch chestnuts. East- 9½ poles to a Black oak N 69½ E 6 poles Shot-7 links to a Small Sugartree S 71½ E 11 poles to a chestnut. S 61 E 14 poles to a Sugartree. S 80½ E 9 poles to a chestnut Sprouts. S 71 E 9 poles to a Locust- S 61 E 40½ poles to a Small chestnut S 52½ E 10 poles Shot- 5 links to Chestnut S 65 E 9¾ poles to Dead Oak, Stub. S 54½ E. 20 poles to a Large Chestnut S 37¼ E 16¼ poles to a oak tree S 65 E 9½ poles to a Gum S 63 E 32 pole to a

Chestnut oak N89E 5 poles to a chestnut Down a corner to the Clark Land. Thence with J. M. Flanarys Line about S58E 91 poles to the Beginning.
Containing 1.10 acres. More or Less.
which we think is one half of the Said Boundary in Value. We Then Lay off and assign to A.J. Litton the Residue of the Said Tract Bounded as follows,

No 2 — Beginning at a Small Maple and Sourwood on the Clark Branch a corner to Lot No 1 Shown on Plat at B. thence with the Lines of Lot No 1 N63¼W 40 poles to a cucumber and Hickory on Said Branch. N70W 24½ poles to a Stake in the Road Thence with Said Road. N39W. 10½ poles to a Sourwood. N54¼W 29½ poles to a Stake Opposite a Large Rock continueing with Said Road. N64W 14 poles to a chestnut oak on top of a Ridge Thence S76W 23 poles to a Crooked Chestnut oak N89W 16 poles to Two Sourwoods S75W. 11¾ poles to a chestnut on Top of Said Ridge N75¾W 22 poles to a Gum N74W 20¾ poles to a Bunch of Chestnut. S76¾W. 19 poles to a Sourwood and Maple near the top of the Ridge Thence N18¾W. 39½ poles to a Hickory in a Hollow below a Spring Shown at D Thence N82¾W. 49 poles to a Locust Stump N87W. 33 pole to a Black Walnut. N40¾W 21 poles to a Small Sugartree and Locust on top of Wallens Ridge E Thence with the top of Said Ridge as agreed upon by M. F. Litton N42½E 9 poles and 10 links to a ~~Sourwood~~. Poplar N18½E 9 poles and 7 links to a Sourwood N54E 24 poles to a chestnut N69½E 18 poles to a chestnut. N87E 7¾ poles to a Gum. N74E 6½ poles to a Stake on top of the Ridge Opposite a chestnut Corner. N78¼E 11½ poles to a gum N47E 19½ poles to a Gum

N 71 ½ E 3¾ poles to a chestnut oak S 89 ½ E 7½ poles
to a chestnut. N 79 ½ E 17 poles to a Hickory
N 70 ½ E 6 poles to a chestnut oak S 88 ¼ E 11 ¼
poles to Chestnut oak Chestnut and Small Gums
Corner to E. S. Stout N 71 E 17¾ poles to a Large
Black oak in Rocks Corner to A. J. Lucas
Continueing with Top of Said Ridge
East 19½ poles to a chestnut. S 55 ½ E 14 poles
to a Small Locust. N 75 E 23 poles. to a Maple
N 68 ¼ E 17 ¼ poles to a chestnut
N 53 ½ E 12 poles to a Black oak N 82 ¼ E 10 poles
to a Large Chestnut on top of Said Ridge a
Corner to B. F. Thompson Land. Shown on Plat at H -
thence Leaving top of Said Ridge and down a
Hollow as it Meanders. S 25 W. 20 poles to a stake
S 3 W. 14 poles Short & Limbs to 3 chestnuts
S 54 E 20 poles to a Stake and chestnut pointer
S 29 E 10 poles to a stake By a Rock. Continueing with
Said Hollow S 9 ¼ E 8 poles to a Gum S 7 E 13½ poles
to a Black oak S 12½ W 29½ poles to a Poplar stump
Passing a Maple 5 feet. S 76 E 49 poles to 3 Lyms
S 59 E 56 poles. to a Hickory on Laurel Branch.
S 22 ½ E 56 poles to the Beginning Containing
158¾ acres more or Less. which we think
is one half of Said Boundary in Value.
There is assigned to Lot No 2 a Right-of Way for
a Wagon Road to go along the old Road. from the top of a Ridge
Shown on Plat at C to the Clark Branch thence
Continueing With old Road across Lot No 1. to
the Line fence near the old Clark House
thence along on North Side of Said Line to the
top of Clark Ridge Said Road to be 16 feet Wide.
All of Which is Respectfully Submitted

This is to be a gate to way to be kept closed by parties

J. W. E. Thompson. } Surv & Com.
G. V. Sage } Com
W. S. Banner } Com.

— Conv. Report —

A. J. Litton V.S. J.B. Rasnic. Et.

Cost

W. E. Thompson	Surv & Conv & Report.	4 Days 3.50	14.00
V S Banner		3 Days 2.00	6.00
A V Sage		3 Days 2.00	6.00
			$26.00

Filed February 24, 1908.

H. C. T. Ewing,
Clerk.

Recorded in Deed Book 47, page 166.
Examined May 14, 1908
Indexed.

Dot Va
R F D No 1
Sept 5th 1907

Mr Jas H Orr
Attorney at Law
Jonesville Va

Dear Sir yours to
hand and in
reply will Say,
all the Point in
This Suit is to
have The land
Partitioned Equably
between me & the
Rossells Heirs—

I have Seen Some of
them They dont want
it divided between them
yours truly
A L Litton

JAMES W. ORR,
JONESVILLE, VA

J. C. NOEL,
PENNINGTON GAP, VA

ORR & NOEL,
ATTORNEYS-AT-LAW,
JONESVILLE, VA.

May 21st, 1907

Mr. James W. Orr,

You are hereby authorized to accept service of process in the suit brought forpartition of the Rasnic ,land by A. J. Litton and others for me and I am anxious for the partition to be made.

Yours truly, Rhoda J. Rasnic

G. W. Sage witness

The Commonwealth of Virginia,

To the Sheriff of the County of Lee, Greeting:

WE COMMAND YOU, That you summon H. Rasnic, David D. Rasnic and Rhoda J. Rasnic,

to appear at the Clerk's office of the Circuit Court of the County of Lee, at rules to be held for the said court, on the 1st Monday in May, 1907, to answer a bill in chancery exhibited against them by A. J. Litton, J. O. Rasnic, S. E. Rasnic, W. W. Rasnic, R. J. Rasnic, J. F. Rasnic, E. C. Rasnic, Nancy Hall, nee Rasnic, wife of E. Hall, Ludenia Kinder, nee Rasnic, wife of A. J. Kinder, Lucinda Hall, nee Rasnic, wife of Marion Hall.

And have then there this writ. Witness, H. C. T. EWING, Clerk of our said Court, at the court-house, the 17th day of April, 1907, and 131st year of the Commonwealth.

A Copy, Teste:

H. C. T. Ewing, Clerk

H. C. T. Ewing, Clerk

VS { SUBPŒNA IN CHANCERY

---p. q.

To---Rules

---Court

For

Rhoda J. Rasnic.

The Commonwealth of Virginia,

To the Sheriff of the County of Lee, Greeting:

WE COMMAND YOU, That you summon H. Rasnic, David D. Rasnic and R Roda J. Rasnic,

to appear at the Clerk's office of the Circuit Court of the County of Lee, at rules to be held for the said court, on the 1st Monday in May, 1905, to answer a bill in chancery exhibited against them by A. J. Litton, J. P. Rasnic, D. E. Rasnic, W. W. Rasnic, R. J. Rasnic, J. F. Rasnic, C. C. Rasnic, Nancy Hall, nee Rasnic, wife of E. Hall, Ludema Kinder, nee Rasnic, wife of A. J. Kinder, Lucinda Hall, nee Rasnic, wife of Marion Hall.

And have then there this writ. Witness, H. C. T. EWING, Clerk of our said Court, at the court-house, the 17th day of April, 1907, and 131st year of the Commonwealth.

A Copy, Teste: H. C. T. Ewing, Clerk

_____, Clerk

A. J. Litton, et al,

VS { SUBPŒNA IN CHANCERY

H. Rasnic, et al,

Orr & Noel, p. q.

To 1st May Rules

Circuit Court

1907

Not executed for want of time

W. B. Short D.S.

for P. M. Ball

this May 6/1907

(over)

Legal service of this unit is hereby accepted, May 6/1907.

Rhoda J Rasnic.

By James W Orr atty.